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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION
13

14 UNITED STATES OF AMERICA,)

15 Plaintiff,)

16 v.)

17 RUBEN RODRIGUEZ,)

18 Defendant.)
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No. CR-10-0014-CRB

~~PROPOSED~~ ORDER AND
STIPULATION EXCLUDING TIME
FROM SEPTEMBER 22, 2010, TO
OCTOBER 20, 2010, FROM THE SPEEDY
TRIAL ACT CALCULATION (18 U.S.C. §
3161(h)(7)(A))

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21 On September 22, 2010, the parties appeared before the Court for a hearing on the
22 defendant's motion to suppress. At the conclusion of the hearing, the Court denied the
23 defendant's motion and set the matter for a status conference on October 20, 2010.

24 With the agreement of the parties, and with the consent of the defendant, the Court enters
25 this order documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161,
26 from September 22, 2010, through October 20, 2010.

27 The parties agree, and the Court finds and holds, as follows:

28 1. The defendant agrees to an exclusion of time under the Speedy Trial Act from

1 September 22, 2010, through October 20, 2010, based upon the need for effective preparation of
2 counsel and to provide the defendant an opportunity to continue discovery review. The
3 defendant agrees to this exclusion on the condition that his right to bring motions claiming
4 Speedy Trial Act violations prior to September 22, 2010, shall remain preserved.

5 2. Counsel for the defense believes that the exclusion of time is in his client's best
6 interest.

7 3. Given these circumstances, the Court finds that the ends of justice served by excluding
8 the period from September 22, 2010, through October 20, 2010, outweigh the best interest of the
9 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

10 4. Accordingly, and with the consent of the defendant, the Court orders the period from
11 September 22, 2010, through October 20, 2010, shall be excluded from Speedy Trial Act
12 calculations under 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

13
14 STIPULATED:

15
16 DATED: September 24, 2010

/s/

CHRISTOPHER J. CANNON
Attorney for Defendant

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18 DATED: September 24, 2010

/s/

AARON D. WEGNER
Assistant United States Attorney

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21 IT IS SO ORDERED.

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23 DATED: Sept. 27, 2010



HON. CHARLES R. BREYER
United States District Judge